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AUG 19 2004

PATENT APPLICATION

00766.000052

OFFICE OF PETITIONS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

MICHIO ICHIMURA, et al.

Application No.: 09/856,617

Filed: May 24, 2001

For: NOVEL POLYPEPTIDE

Examiner: Barbara A. Campbell

Group Art Unit:

Confirmation No. 3220

August 12, 2004

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Attn: Derek A. Putonen

Attorney Advisor

Office of PCT Legal Administration

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27 AUG 2004

Legal Staff
International Division

PETITION TO REVIVE UNAVOIDABLY
ABANDONED APPLICATION UNDER 37 CFR § 1.137(a)

Sir:

The procedural progress of this application has stalled. The undersigned would like to commence prosecution on the merits, but first needs to restore the application to pending status. By way of background, the salient events in the file are as follows.

- (1) The application was filed in the Japan/Receiving Office on November 19, 1999.
- (2) An English translation was filed in the US/DO to commence the United States National Phase on May 24, 2001. The papers included an executed declaration, a CRF and paper copy, among other things.

11/09/2004 CSM00T 00000002 061205 09856617
Sale Ref: 00000002 DA#: 061205 09856617
01 FC:1452 110.00 DA

BEST AVAILABLE COPY

(3) On September 7, 2001 Applicants received a Notification of Missing Requirements (copy attached at Tab A) stating that the CRF was non-compliant because the nucleotide "counters" wrapped around. The error recurred at lines 35, 40, 45, 50, 55, 60, 65, 70,.... This error -- at each fifth line -- was as the only error identified in the Detected Error Printout.

(4) On September 24, 2001 Applicants timely responded by filing a corrected CRF with smaller margins, thus avoiding the wrapped nucleotide counters.

(5) On July 2, 2002 the Patent Office issued a Notification of Defective Response (copy attached at Tab B). That enclosed Detected Error Printout was identical (note the date at bottom right) to that provided with the September 7, 2001 Notification (3). This means either of two things: (a) The Patent Office did not receive -- or damaged -- Applicants' corrected CRF (since the CRF submitted September 24 did not contain those errors. See partial copy attached at Tab C) or (b) the Patent Office enclosed the wrong Detected Error Printout. It is now seen that the latter is what happened, but the undersigned had no reason at the time to expect the Official Action was at all defective.

(6) Presuming point (a) above, Applicants sent on August 2, 2002 to the Patent Office additional copies of their previously submitted September 24, 2001 enclosures.

(7) A second Notification of Defective Response (copy attached at Tab D) issued on January 9, 2003. A new Detected Error Printout accompanied the paper which now identified errors at lines 712, 716, 718, 2165, 2167, 2369, 2384, 2399, 2414, 2622, 2637, 2652, 2667, 2878, 2893, 2908, 2923, 3137, 3152, 3167, 3182, 3484, 3499,

3514, 3529, 3544, 3559, 3574, 3739 and 3753. These were each errors present in the original May 24, 2001 CRF (2) but were never identified in either of the two previous Detected Error Printouts ((3) and (5)).

(8) Applicants responded on January 22, 2003, attending to the errors noted in (7).

(9) On June 6, 2003 Applicants received a Notification of Defective Response Abandonment (copy attached at Tab E). The Notification states Applicants failed to correct an error at line 2036 (which, again, was always present but had never earlier been complained of). The stated basis of rejection was that

Applicant has failed to properly respond to the notification of MISSING REQUIREMENTS (Form PCT/DO/EO/905), mailed 09/07/2001 within the time period set therein.
(Emphasis added.)

(10) Of course, Applicants did properly respond to the September 7, 2001 Notification and so, on June 19, 2003 filed a Request for Withdrawal of Notification of Defective Response Abandonment pointing out that such Response was, in fact, received in the Patent Office on September 25, 2001.

(11) On January 7, 2004 Applicants filed a Request for Decision on Request for Withdrawal of Abandonment.

(12) A Decision on Petition (undated) was received January 30, 2004 dismissing the Request for Withdrawal on the basis that Applicants' January 22, 2003 sequence listing was not a proper response, noting that

applicant has misinterpreted the Form PCT/DO/EO/918 mailed 06 June 2003. The USPTO does not dispute that

applicant filed a response on 25 September 2001. This filing was received and resulted in the preparation and mailing of a Form PCT/DO/EO/916 mailed 02 July 2002. In addition, applicant subsequently filed responses on 05 August 2002 and 22 January 2003. However, none of the sequence listing filed to date has been in compliance with 37 CFR 1.821-1.825. As such, while timely, the responses were not proper and the application was therefore held to be abandoned. Enclosed with their decision is a courtesy copy of the most recently prepared CRF Problem Report.

Initially, it is not well-understood how the undersigned "misinterpreted" the June 6, 2003 form. The paper plainly stated there was no proper response to the September 7, 2001 Notification of Missing Requirements. Applicants responded accordingly.

Additionally, it is noted that the "courtesy copy" of the CRF Problem Report provided by the PTO on January 30, 2004 had nothing to do with the Notification mailed September 7, 2001. Accordingly, the basis asserted in the June 6, 2003 Notification of Defective Response (9) is without foundation.

(13) In any event, Applicants filed a Request for Reconsideration on February 4, 2004 pointing out that the error relied upon in the Decision and upon which abandonment was founded because Applicant did not correct it earlier, was always in the CRF but was not earlier complained of by the Patent Office. Applicants explained their January 22, 2003 submission (8) attended to all the problems pointed out by the Patent Office up to that date; the Patent Office made no mention of the existent error noted by the Decision (12) before June 6, 2003. The Request for Consideration now attended to this latest CRF error.

Applicants are being penalized for not hitting a moving target. All Applicants sought was a Withdrawal of Abandonment and the opportunity to submit a paper copy and CRF to address the Patent Office's latest concerns.

(14) In response, the Patent Office issued on May 17, 2004 a Decision which states

Applicant is correct that the error found in the Computer-Readable Form (CRF) filed 22 January 2003 had not occurred in previously filed CRF.

This is not entirely accurate; the error was found in all prior CRFs but the Patent Office did not complain of it until June 6, 2003.

In any event, the Decision states that the presently-filed CRF (13) will be forwarded for examination. To date, however, it appears no such examination has occurred and so, there has still been no determination as to whether or not such constitutes a "proper reply".

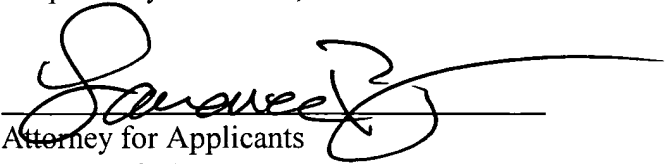
(15) Accordingly, to timely facilitate such review, Applicants are filing the present Petition. Pursuant to 37 CFR § 1.137(a)(1), the previously filed CRF and paper copy are the necessary reply. Pursuant to 37 CFR § 1.137(a)(2), a check in the amount of \$110.00 is enclosed to cover the petition fee under 37 CFR § 1.17(l). Pursuant to 37 CFR § 1.137(a)(3) the entire delay in filing this paper has above shown to be unavoidable and, pursuant to 37 CFR § 1.137(a)(4), no terminal disclaimer is required.

The Assistant Commissioner is respectfully requested to restore this application to pending status and forward it for examination on the merits.

The PTO did not receive the following listed item(s) <u>Check \$110.00</u>

Applicants' undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our below listed address.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Lawrence S. Perry", is written over a horizontal line.

Attorney for Applicants
Lawrence S. Perry
Registration No. 31,865

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York 10112-2200
Facsimile: (212) 218-2200

LSP\nfr\ac

NY_MAIN 444716v1



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents, Box PCT
United States Patent and Trademark Office
Washington, D.C. 20231
www.uspto.gov

U.S. APPLICATION NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09/856617	ICHIMURA M	766.52
INTERNATIONAL APPLICATION NO.		
PCT/JP99/06487		
FITZPATRICK CELLA HARPER & SCINTO 30 ROCKEFELLER PLAZA NEW YORK, NY 10112		
FILE NO.	ATTORNEY	
11701	LSR	
DUE DATE	DOCKETED	
11/7/01	9/14/01	
DATE MAILED:		07 SEP 2001

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as ☐ a Designated Office (37 CFR 1.494) ☒ an Elected Office (37 CFR 1.495):

- | | |
|--|--|
| <input checked="" type="checkbox"/> U.S. Basic National Fee. | <input type="checkbox"/> Indication of Small Entity Status. |
| <input checked="" type="checkbox"/> Copy of the international application. | <input checked="" type="checkbox"/> Translation of the international application into English. |
| <input checked="" type="checkbox"/> Oath or Declaration of inventors(s). | <input type="checkbox"/> Translation of Article 19 amendments into English. |
| <input checked="" type="checkbox"/> Copy of Article 19 amendments. | <input type="checkbox"/> Other: |
| <input checked="" type="checkbox"/> Priority Document. | |
| <input checked="" type="checkbox"/> The International Preliminary Examination Report in English and its Annexes, if any. | |
| <input type="checkbox"/> Translation of Annexes to the International Preliminary Examination Report into English. | |

2. ☐ Applicant has requested early processing under 35 U.S.C. 371(f) but has not filed the following indicated items and/or the indicated items in paragraph 3 below. The Basic National Fee and the copy of the international application must be filed prior to 20 or 30 months from the priority date to avoid abandonment.

- | | |
|---|---|
| <input type="checkbox"/> U.S. Basic National Fee. | <input type="checkbox"/> Copy of the international application. |
|---|---|

3. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- | |
|---|
| <input type="checkbox"/> a. Translation of the application into English. A processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date. |
| <input type="checkbox"/> The current translation is defective for the reasons indicated on the attached Notice of Defective Translation. |
| <input type="checkbox"/> b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)). |
| <input type="checkbox"/> c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), properly identifying the application (preferably by the International application number and international filing date). A surcharge will be required if submitted later than the appropriate 20 or 30 months from the priority date. |
| <input type="checkbox"/> The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917. |
| <input type="checkbox"/> d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)). |

4. Additional claim fees of \$_____ as a ☐ large entity ☐ small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due (37 CFR 1.492(g)). See attached PTO-875.

5. ☒ Applicant has not submitted the required sequence listing pursuant to 37 CFR 1.821-1.825. See attached PCT/DO/EO/920.

ALL OF THE ITEMS SET FORTH IN 3(a)-3(d), 4 AND 5 ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 22 OR 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

6. If box 3a or 3c is checked, a translation of the Annexes **MUST** be submitted no later than the time period set above or the Annexes will be cancelled. A processing fee will be required if submitted later than 20 or 30 months from the priority date.

7. ☐ The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 1.494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

A copy of this notice MUST be returned with this response.

Enclosed: ☐ PCT/DO/EO/917 ☐ Notice of Defective Translation
☐ PTO-875 ☒ PCT/DO/EO/920

Barbara A. Campbell



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents, Box PCT
United States Patent and Trademark Office
Washington, D.C. 20231
www.uspto.gov

U.S. APPLICATION NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09/856617	ICHIMURA,	M 766.52

FITZPATRICK CELLA HARPER & SCINTO
30 ROCKEFELLER PLAZA
NEW YORK, NY 10112

INTERNATIONAL APPLICATION NO.

PCT/JP99/06487

I.A. FILING DATE

19 NOV 99

PRIORITY DATE

24 NOV 98

DATE MAILED:

07 SEP 2001

**NOTIFICATION TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS
CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE
DISCLOSURES**

Applicant has submitted papers under 35 U.S.C. 371 to enter the national stage in the United States of America. The items indicated below, however, are missing. The period within which to correct the deficiency noted below and avoid abandonment is set forth in the accompanying Notification.

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 CFR 1.821-1.825 for the following reason(s):

- ☒ The application fails to comply with the requirements of 37 CFR 1.821-1.825.
- ☐ This application does not contain, a "Sequence Listing" as a separate part of the disclosure on paper copy or compact disc, as required by 37 CFR 1.821(c).
- ☐ A copy of the "Sequence Listing" in computer readable format has not been submitted as required by 37 CFR 1.821(e).
- ☒ A copy of the "Sequence Listing" in computer readable form has been submitted. The content of the computer readable form, however, does not comply with the requirements of 37 CFR 1.822 and/or 1.832, as indicated on the attached marked-up copy of the "Raw Sequence Listing."
- ☐ The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A substitute computer readable form must be submitted as required by 37 CFR 1.825(d).
- ☐ The paper copy or compact disc of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 CFR 1.821(e).
- ☐ Other: _____

APPLICANT MUST PROVIDE:

- ☒ An initial or substitute computer readable form (CRF) of the "Sequence Listing."
- ☐ An initial or substitute paper copy or compact disc of the "Sequence Listing," as well as an amendment directing its entry into the specification.
- ☒ A statement that the contents of the paper or compact disc and the computer readable form are the same and, where applicable, include no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b) or 1.825(d).

**FOR QUESTIONS REGARDING COMPLIANCE WITH THESE REQUIREMENTS, PLEASE
CALL:**

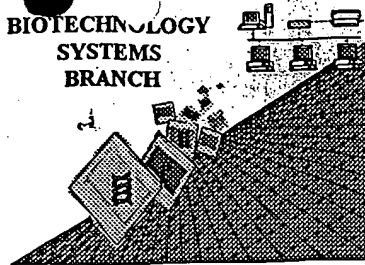
(703) 308-4216, for Rules interpretation,
(703) 308-4212, for CRF submission help,
(703) 287-0200, for PatentIn software help.

Barbara A. Campbell

Telephone: 703-305-3631

RAW SEQUENCE LISTING **ERROR REPORT**

BIOTECHNOLOGY
SYSTEMS
BRANCH



The Biotechnology Systems Branch of the Scientific and Technical Information Center (STIC) detected errors when processing the following computer readable form:

Application Serial Number: 09/856,617

Source: P4/09

Date Processed by STIC: 6/12/2001

THE ATTACHED PRINTOUT EXPLAINS DETECTED ERRORS.

PLEASE FORWARD THIS INFORMATION TO THE APPLICANT BY EITHER:

- 1) INCLUDING A COPY OF THIS PRINTOUT IN YOUR NEXT COMMUNICATION TO THE APPLICANT, WITH A NOTICE TO COMPLY or,
- 2) TELEPHONING APPLICANT AND FAXING A COPY OF THIS PRINTOUT, WITH A NOTICE TO COMPLY

FOR CRF SUBMISSION QUESTIONS, PLEASE CONTACT MARK SPENCER, 703-308-4212.

FOR SEQUENCE RULES INTERPRETATION, PLEASE CONTACT ROBERT WAX, 703-308-4216.

PATENTIN 2.1 e-mail help: patin21help@uspto.gov or phone 703-306-4119 (R. Wax)

PATENTIN 3.0 e-mail help: patin3help@uspto.gov or phone 703-306-4119 (R. Wax)

TO REDUCE ERRORED SEQUENCE LISTINGS, PLEASE USE THE CHECKER VERSION 3.0 PROGRAM, ACCESSIBLE THROUGH THE U.S. PATENT AND TRADEMARK OFFICE WEBSITE. SEE BELOW:

Checker Version 3.0

The Checker Version 3.0 application is a state-of-the-art Windows-based software program employing a logical and intuitive user-interface to check whether a sequence listing is in compliance with format and content rules. Checker Version 3.0 works for sequence listings generated for the original version of 37 CFR §§1.821 – 1.825 effective October 1, 1990 (old rules) and the revised version (new rules) effective July 1, 1998 as well as World Intellectual Property Organization (WIPO) Standard ST.25.

Checker Version 3.0 replaces the previous DOS-based version of Checker, and is Y2K-compliant. Checker allows public users to check sequence listings in Computer Readable form (CRF) before submitting them to the United States Patent and Trademark Office (USPTO). Use of Checker prior to filing the sequence listing is expected to result in fewer errored sequence listings, thus saving time and money.

Checker Version 3.0 can be down loaded from the USPTO website at the following address:

<http://www.uspto.gov/web/offices/pac/checker>

RAW SEQUENCE LISTING
PATENT APPLICATION: US/09/856,617

DATE: 06/12/2001
TIME: 12:25:27

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Output Set: N:\CRF3\06122001\I856617.raw

4 <110> APPLICANT: KYOWA HAKKO KOGYO CO., LTD.,
6 <120> TITLE OF INVENTION: NOVEL POLYPEPTIDE
8 <130> FILE REFERENCE: 11169
-> 10 <140> CURRENT APPLICATION NUMBER: US/09/856,617
-> 11 <141> CURRENT FILING DATE: 2001-05-24
13 <150> PRIOR APPLICATION NUMBER: H10-332484
14 <151> PRIOR FILING DATE: 1998-11-24
16 <150> PRIOR APPLICATION NUMBER: H11-248442
17 <151> PRIOR FILING DATE: 1999-09-02
19 <160> NUMBER OF SEQ ID NOS: 18
20 <170> SOFTWARE: PatentIn Ver. 2.0

Does Not Comply
Corrected Diskette Needed

pp1-4

ERRORED SEQUENCES

22 <210> SEQ ID NO: 1
23 <211> LENGTH: 4173
24 <212> TYPE: DNA
25 <213> ORGANISM: Mouse
27 <220> FEATURE:
28 <221> NAME/KEY: CDS
29 <222> LOCATION: (107)..(4021)
31 <400> SEQUENCE: 1
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33 60
--> 35 tcgggccccg gaacgagccg cgctggcggc ggcggcggtta gccgag atg atg gag
36 115
37 Met Met Glu
38 1
--> 40 atc cag atg gac gag gga gga ggt gtg gtg gtg tac caa gac gac tac
41 163
42 Ile Gln Met Asp Glu Gly Gly Gly Val Val Val Tyr Gln Asp Asp Tyr
43 5 10 15
--> 45 tgc tgc ggc tgc gtc atg tgc gag cgt gtg tgc ggc ctg gcg ggc tcc
46 211
47 Cys Ser Gly Ser Val Met Ser Glu Arg Val Ser Gly Leu Ala Gly Ser
48 20 25 30 35
--> 50 atc tac cgc gag ttc gag cgc ctc att cac tgc tat gac gag gag gtg
51 259
52 Ile Tyr Arg Glu Phe Glu Arg Leu Ile His Cys Tyr Asp Glu Glu Val
53 40 45 50
--> 55 gtc aag gag ctc atg ccg ctg gtg gtg aac gtg ctg gag aac ctt gac
56 307
57 Val Lys Glu Leu Met Pro Leu Val Val Asn Val Leu Glu Asn Leu Asp
58 55 60 65
--> 60 tgc gtg ctg agc gag aac cag gag cac gag gtg gag ctg gag ctc cta
61 355

*global
format error*

*see item 1
on Error
summary
sheet*

RAW SEQUENCE LISTING

PATENT APPLICATION: US/09/856,617

DATE: 06/12/2001

TIME: 12:25:27

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62 Ser Val Leu Ser Glu Asn Gln Glu His Glu Val Glu Leu Glu Leu Leu
63      70      75      80
--> 65 cgc gag gac aac gag cag ctg ctc acg caa tac gag cgc gag aag gcg
66 403
67 Arg Glu Asp Asn Glu Gln Leu Thr Gln Tyr Glu Arg Glu Lys Ala
68      85      90      95
--> 70 ctg cgc aaa cag gcc gag gag aaa ttc atc gaa ttt gaa gat gcc ttg
71 451
72 Leu Arg Lys Gln Ala Glu Glu Lys Phe Ile Glu Phe Glu Asp Ala Leu
73 100      105      110      115
--> 75 gaa caa gag aag aaa gaa ctc cag atc cag gta gaa cat tat gag ttt
76 499
77 Glu Gln Glu Lys Lys Glu Leu Gln Ile Gln Val Glu His Tyr Glu Phe
78      120      125      130
--> 80 cag aca cgc cag ctg gag cta aag gcc aaa aac tat gca gat cag att
81 547
82 Gln Thr Arg Gln Leu Glu Leu Lys Ala Lys Asn Tyr Ala Asp Gln Ile
83      135      140      145
--> 85 tcc cga ctg gag gaa cga gaa tcc gag atg aag aag gaa tac aat gcc
86 595
87 Ser Arg Leu Glu Glu Arg Glu Ser Glu Met Lys Lys Glu Tyr Asn Ala
88      150      155      160
--> 90 ctg cac cag cgg cac aca gag atg atc cag acc tat gtg gaa cac att
91 643
92 Leu His Gln Arg His Thr Glu Met Ile Gln Thr Tyr Val Glu His Ile
93      165      170      175
--> 95 gaa aga tcc aag atg cag caa gtt ggg ggt agc ggc caa aca gaa agc
96 691
97 Glu Arg Ser Lys Met Gln Gln Val Gly Gly Ser Gly Gln Thr Glu Ser
98 180      185      190      195
--> 100 agc ctg ccc ggg cgg agg aag gag cgt ccc acc tct ctg aat gtc ttc
101 739
102 Ser Leu Pro Gly Arg Arg Lys Glu Arg Pro Thr Ser Leu Asn Val Phe
103      200      205      210
--> 105 ccc ctg gct gat ggc atg tgt cca aac gat gag atg tct gag tca ggc
106 787
107 Pro Leu Ala Asp Gly Met Cys Pro Asn Asp Glu Met Ser Glu Ser Gly
108      215      220      225
--> 110 cag tcc tca gca gct gca aca ccc agt acc aca ggt acc aag tcc aac
111 835
112 Gln Ser Ser Ala Ala Ala Thr Pro Ser Thr Thr Gly Thr Lys Ser Asn
113      230      235      240
--> 115 aca ccc acg tcc tcc gtg ccc tca gca gca gtc acg cca ctc aac gag
116 883
117 Thr Pro Thr Ser Ser Val Pro Ser Ala Ala Val Thr Pro Leu Asn Glu
118      245      250      255
--> 120 agc cta cag ccc ctg ggg gac tat gtc agt gtc aca aag aac aac aag
121 931
122 Ser Leu Gln Pro Leu Gly Asp Tyr Val Ser Val Thr Lys Asn Asn Lys

```

*same
env*

RAW SEQUENCE LISTING

PATENT APPLICATION: US/09/856,617

DATE: 06/12/2001

TIME: 12:25:27

Input Set : A:\766.52 Seq. Listing.txt

Output Set: N:\CRF3\06122001\I856617.raw

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123 260                265                270                275
--> 125 cag gcc cga gag aag cgc aat agc cgt aac atg gag gtc cag gtc acc
126 979
127 Gln Ala Arg Glu Lys Arg Asn Ser Arg Asn Met Glu Val Gln Val Thr
128                280                285                290
--> 130 caa gag atg cgg aac gtc agt atc ggc atg ggc agc agt gac gag tgg
131 1027
132 Gln Glu Met Arg Asn Val Ser Ile Gly Met Gly Ser Ser Asp Glu Trp
133                295                300                305
--> 135 tcc gat gtt cag gac att atc gac tcc acc cca gag ctg gat gtg tgt
136 1075
137 Ser Asp Val Gln Asp Ile Ile Asp Ser Thr Pro Glu Leu Asp Val Cys
138                310                315                320
--> 140 cct gaa acc cgt ctg gag cgc aca gga agc agc cca acc cag gga att
141 1123
142 Pro Glu Thr Arg Leu Glu Arg Thr Gly Ser Ser Pro Thr Gln Gly Ile
143                325                330                335
--> 145 gta aac aaa gct ttt gga atc aac act gac tcc ttg tat cac gaa ctc
146 1171
147 Val Asn Lys Ala Phe Gly Ile Asn Thr Asp Ser Leu Tyr His Glu Leu
148                340                345                350                355
--> 150 tcc acg gcg gga tct gag gtc atc ggg gat gtg gac gag gga gct gat
151 1219
152 Ser Thr Ala Gly Ser Glu Val Ile Gly Asp Val Asp Glu Gly Ala Asp
153                360                365                370
--> 155 ctc cta ggg gag ttt tca gtg cgc gat gat ttt ttt gga atg ggc aaa
156 1267
157 Leu Leu Gly Glu Phe Ser Val Arg Asp Asp Phe Phe Gly Met Gly Lys
158                375                380                385
--> 160 gaa gtg ggg aac ctg ctg ctg gag aac tca cag ctt cta gag aca aaa
161 1315
162 Glu Val Gly Asn Leu Leu Leu Glu Asn Ser Gln Leu Leu Glu Thr Lys
163                390                395                400
--> 165 aat gct tta aat gta gtg aag aat gac ctc att gct aag gtt gac caa
166 1363
167 Asn Ala Leu Asn Val Val Lys Asn Asp Leu Ile Ala Lys Val Asp Gln
168                405                410                415
--> 170 ctg tca gga gaa cag gag gtc ctg aag ggt gag ctg gaa gca gcc aag
171 1411
172 Leu Ser Gly Glu Gln Glu Val Leu Lys Gly Glu Leu Glu Ala Ala Lys
173                420                425                430                435
--> 175 caa gcg aaa gtc aag ctg gag aac cga atc aaa gag ctt gaa gaa gaa
176 1459
177 Gln Ala Lys Val Lys Leu Glu Asn Arg Ile Lys Glu Leu Glu Glu Glu
178                440                445                450
--> 180 ctg aag aga gtc aag tca gag gca gta act gcc cgc cgt gag ccc aga
181 1507
182 Leu Lys Arg Val Lys Ser Glu Ala Val Thr Ala Arg Arg Glu Pro Arg
183                455                460                465

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*same
run*

RAW SEQUENCE LISTING

PATENT APPLICATION: US/09/856,617

DATE: 06/12/2001

TIME: 12:25:27

Input Set : A:\766.52 Seq. Listing.txt

Output Set: N:\CRF3\06122001\I856617.raw

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--> 185 gaa gag gtg gag gat gta agc agc tat ctc tgt aca gaa ttg gac aaa
186 1555
187 Glu Glu Val Glu Asp Val Ser Ser Tyr Leu Cys Thr Glu Leu Asp Lys
188      470      475      480
--> 190 atc ccc atg gcc cag cgc cga cgc ttc aca cgg gtg gag atg gcc cga
191 1603
192 Ile Pro Met Ala Gln Arg Arg Arg Phe Thr Arg Val Glu Met Ala Arg
193      485      490      495
--> 195 gtg ctc atg gaa cgc aac cag tac aag gaa cgc ctc atg gag ctg cag
196 1651
197 Val Leu Met Glu Arg Asn Gln Tyr Lys Glu Arg Leu Met Glu Leu Gln
198 500      505      510      515
--> 200 gag gct gtg agg tgg act gaa atg atc aga gca tca agg gaa cac cca
201 1699
202 Glu Ala Val Arg Trp Thr Glu Met Ile Arg Ala Ser Arg Glu His Pro
203      520      525      530
--> 205 tct gtc cag gag aag aag aag tcc acc atc tgg cag ttc ttt agt cgc
206 1747
207 Ser Val Gln Glu Lys Lys Lys Ser Thr Ile Trp Gln Phe Phe Ser Arg
208      535      540      545
--> 210 ctc ttc agc tcc tca tct agc ccc cct ccg gcc aaa cga tcc tac cca
211 1795
212 Leu Phe Ser Ser Ser Ser Ser Pro Pro Pro Ala Lys Arg Ser Tyr Pro
213      550      555      560
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216 1843
217 Ser Val Asn Ile His Tyr Lys Ser Pro Thr Ala Ala Gly Phe Ser Gln
218      565      570      575
--> 220 cgt cgc agc cat gct ttg tgc cag atc tca gcc ggc agc agg ccc ctg
221 1891
222 Arg Arg Ser His Ala Leu Cys Gln Ile Ser Ala Gly Ser Arg Pro Leu
223 580      585      590      595
--> 225 gag ttc ttc cct gat gat gac tgc acc tct tct gcc cgg cgg gag cag
226 1939
227 Glu Phe Phe Pro Asp Asp Asp Cys Thr Ser Ser Ala Arg Arg Glu Gln
228      600      605      610
--> 230 aag cgg gag cag tac cgc cag gtt cgt gaa cac gtg cgc aat gat gac
231 1987
232 Lys Arg Glu Gln Tyr Arg Gln Val Arg Glu His Val Arg Asn Asp Asp
233      615      620      625
--> 235 ggg agg ctg cag gcc tgt ggg tgg agc ctg cct gcc aag tac aag cag
236 2035
237 Gly Arg Leu Gln Ala Cys Gly Trp Ser Leu Pro Ala Lys Tyr Lys Gln
238      630      635      640
--> 240 ctg agc ccc aat gga ggc cag gaa gac acc cgg atg aaa aat gtg cct
241 2083
242 Leu Ser Pro Asn Gly Gly Gln Glu Asp Thr Arg Met Lys Asn Val Pro
243      645      650      655
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same

*Due to size
of encoded
file, only
three pages
shown as
sample of
global
error*

FBI

Please review the

Sequence Listing to ensure that a corresponding explanation is presented in the <220> to <223> fields of each sequence which presents at least one n or Xaa.



UNITED STATES PATENT AND TRADEMARK OFFICE

 Commissioner for Patents, Box PCT
 United States Patent and Trademark Office
 Washington, D.C. 20231
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09/856,617	Michio Ichimura	766.52

INTERNATIONAL APPLICATION NO.

PCT/JP99/06487

I.A. FILING DATE

11/19/1999

PRIORITY DATE

11/24/1998

05514

 FITZPATRICK CELLA HARPER & SCINTO
 30 ROCKEFELLER PLAZA
 NEW YORK, NY 10112

CONFIRMATION NO. 3220

371 FORMALITIES LETTER



OC000000008386527

Date Mailed: 07/02/2002

NOTIFICATION OF DEFECTIVE RESPONSE

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- U.S. Basic National Fee
- Priority Document
- Assignee Statement
- Biochemical Sequence Diskette
- Biochemical Sequence Listing
- Copy of IPE Report
- Copy of references cited in ISR
- Copy of the International Application
- Copy of the International Search Report
- Oath or Declaration
- Preliminary Amendments
- Request for Immediate Examination

 FILE NO. 0766.000052
 ATTORNEY UP
 DUE DATE 8/2/02
 DOCKETED 7/10/02 *pu*

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

Applicant is required to complete the response within a time limit of ONE MONTH from the date of this Notification or within the time remaining in the response set forth in the Notification of Missing Requirements, whichever is the longer. No extension of this time limit may be granted under 37 CFR 1.136, but the period for response set in the Notification of Missing Requirements may be extended under 37 CFR 1.136(a).

Additionally the following defects have been observed:

The following items **MUST** be furnished within the period set forth below:

- The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 CFR 1.821-1.825 for the following reason(s):

- See attached RSL Error Report.

- **APPLICANT MUST PROVIDE:**

- An initial or substitute paper copy or compact disc of the "Sequence Listing," as well as an amendment directing its entry into the specification.
- A statement that the contents of the paper or compact disc and the computer readable form are the same and, where applicable, include no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b) or 1.825(d).

- For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

- Additional claim fees of **\$90** as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$90** for a Large Entity:

- Total additional claim fee(s) for this application is **\$90**
 - **\$90** for **33** total claims over 20.

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

BARBARA A CAMPBELL

Telephone: (703) 305-3631

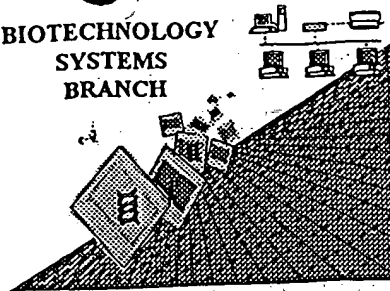
PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
09/856,617	PCT/JP99/06487	766.52

J. Campbell

Re-run

BIOTECHNOLOGY
SYSTEMS
BRANCH



RAW SEQUENCE LISTING ERROR REPORT

The Biotechnology Systems Branch of the Scientific and Technical Information Center (STIC) detected errors when processing the following computer readable form:

Application Serial Number: 09/856,617

Source: P4/09

Date Processed by STIC: 6/12/2001

THE ATTACHED PRINTOUT EXPLAINS DETECTED ERRORS.

PLEASE FORWARD THIS INFORMATION TO THE APPLICANT BY EITHER:

- 1) INCLUDING A COPY OF THIS PRINTOUT IN YOUR NEXT COMMUNICATION TO THE APPLICANT, WITH A NOTICE TO COMPLY or,
- 2) TELEPHONING APPLICANT AND FAXING A COPY OF THIS PRINTOUT, WITH A NOTICE TO COMPLY

FOR CRF SUBMISSION QUESTIONS, PLEASE CONTACT MARK SPENCER, 703-308-4212.

FOR SEQUENCE RULES INTERPRETATION, PLEASE CONTACT ROBERT WAX, 703-308-4216.

PATENTIN 2.1 e-mail help: patin21help@uspto.gov or phone 703-306-4119 (R. Wax)

PATENTIN 3.0 e-mail help: patin3help@uspto.gov or phone 703-306-4119 (R. Wax)

TO REDUCE ERRORED SEQUENCE LISTINGS, PLEASE USE THE CHECKER
VERSION 3.0 PROGRAM, ACCESSIBLE THROUGH THE U.S. PATENT AND
TRADEMARK OFFICE WEBSITE. SEE BELOW:

Checker Version 3.0

The Checker Version 3.0 application is a state-of-the-art Windows based software program employing a logical and intuitive user-interface to check whether a sequence listing is in compliance with format and content rules. Checker Version 3.0 works for sequence listings generated for the original version of 37 CFR §§1.821 - 1.825 effective October 1, 1990 (old rules) and the revised version (new rules) effective July 1, 1998 as well as World Intellectual Property Organization (WIPO) Standard ST.25.

Checker Version 3.0 replaces the previous DOS-based version of Checker, and is Y2K-compliant. Checker allows public users to check sequence listings in Computer Readable form (CRF) before submitting them to the United States Patent and Trademark Office (USPTO). Use of Checker prior to filing the sequence listing is expected to result in fewer errored sequence listings, thus saving time and money.

Checker Version 3.0 can be down loaded from the USPTO website at the following address:

<http://www.uspto.gov/web/offices/pac/checker>

RAW SEQUENCE LISTING
PATENT APPLICATION: US/09/856,617

DATE: 06/12/2001
TIME: 12:25:27

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Output Set: N:\CRF3\06122001\I856617.raw

4 <110> APPLICANT: KYOWA HAKKO KOGYO CO., LTD.,
6 <120> TITLE OF INVENTION: NOVEL POLYPEPTIDE
8 <130> FILE REFERENCE: 11169
C--> 10 <140> CURRENT APPLICATION NUMBER: US/09/856,617
C--> 11 <141> CURRENT FILING DATE: 2001-05-24
13 <150> PRIOR APPLICATION NUMBER: H10-332484
14 <151> PRIOR FILING DATE: 1998-11-24
16 <150> PRIOR APPLICATION NUMBER: H11-248442
17 <151> PRIOR FILING DATE: 1999-09-02
19 <160> NUMBER OF SEQ ID NOS: 18
20 <170> SOFTWARE: PatentIn Ver. 2.0

Does Not Comply
Corrected Diskette Needed

part-4

ERRORED SEQUENCES

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23 <211> LENGTH: 4173
24 <212> TYPE: DNA
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33 60
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36 115
37 Met Met Glu
38 1
E--> 40 atc cag atg gac gag gga gga ggt gtg gtg gtg tac caa gac gac tac
41 163
42 Ile Gln Met Asp Glu Gly Gly Gly Val Val Val Tyr Gln Asp Asp Tyr
43 5 10 15
E--> 45 tgc tcg ggc tcg gtc atg tcg gag cgt gtg tcg ggc ctg gcg ggc tcc
46 211
47 Cys Ser Gly Ser Val Met Ser Glu Arg Val Ser Gly Leu Ala Gly Ser
48 20 25 30 35
E--> 50 atc tac cgc gag ttc gag cgc ctc att cac tgc tat gac gag gag gtg
51 259
52 Ile Tyr Arg Glu Phe Glu Arg Leu Ile His Cys Tyr Asp Glu Glu Val
53 40 45 50
E--> 55 gtc aag gag ctc atg ccg ctg gtg gtg aac gtg ctg gag aac ctt gac
56 307
57 Val Lys Glu Leu Met Pro Leu Val Val Asn Val Leu Glu Asn Leu Asp
58 55 60 65
E--> 60 tcg gtg ctg agc gag aac cag gag cac gag gtg gag ctg gag ctc cta
61 355

*global
format error*

*see item 1
on Error
summary
sheet*

RAW SEQUENCE LISTING

PATENT APPLICATION: US/09/856,617

DATE: 06/12/2001

TIME: 12:25:27

Input Set : A:\766.52 Seq. Listing.txt

Output Set: N:\CRF3\06122001\I856617.raw

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62 Ser Val Leu Ser Glu Asn Gln Glu His Glu Val Glu Leu Glu Leu Leu
63      70      75      80
E--> 65 cgc gag gac aac gag cag ctg ctc acg caa tac gag cgc gag aag gcg
66 403
67 Arg Glu Asp Asn Glu Gln Leu Leu Thr Gln Tyr Glu Arg Glu Lys Ala
68      85      90      95
E--> 70 ctg cgc aaa cag gcc gag gag aaa ttc atc gaa ttt gaa gat gcc ttg
71 451
72 Leu Arg Lys Gln Ala Glu Glu Lys Phe Ile Glu Phe Glu Asp Ala Leu
73 100      105      110      115
E--> 75 gaa caa gag aag aaa gaa ctc cag atc cag gta gaa cat tat gag ttt
76 499
77 Glu Gln Glu Lys Lys Glu Leu Gln Ile Gln Val Glu His Tyr Glu Phe
78      120      125      130
E--> 80 cag aca cgc cag ctg gag cta aag gcc aaa aac tat gca gat cag att
81 547
82 Gln Thr Arg Gln Leu Glu Leu Lys Ala Lys Asn Tyr Ala Asp Gln Ile
83      135      140      145
E--> 85 tcc cga ctg gag gaa cga gaa tcg gag atg aag aag gaa tac aat gcc
86 595
87 Ser Arg Leu Glu Glu Arg Glu Ser Glu Met Lys Lys Glu Tyr Asn Ala
88      150      155      160
E--> 90 ctg cac cag cgg cac aca gag atg atc cag acc tat gtg gaa cac att
91 643
92 Leu His Gln Arg His Thr Glu Met Ile Gln Thr Tyr Val Glu His Ile
93      165      170      175
E--> 95 gaa aga tcc aag atg cag caa gtt ggg ggt agc ggc caa aca gaa agc
96 691
97 Glu Arg Ser Lys Met Gln Gln Val Gly Gly Ser Gly Gln Thr Glu Ser
98 180      185      190      195
E--> 100 agc ctg ccc ggg cgg agg aag gag cgt ccc acc tct ctg aat gtc ttc
101 739
102 Ser Leu Pro Gly Arg Arg Lys Glu Arg Pro Thr Ser Leu Asn Val Phe
103      200      205      210
E--> 105 ccc ctg gct gat ggc atg tgt cca aac gat gag atg tct gag tca ggc
106 787
107 Pro Leu Ala Asp Gly Met Cys Pro Asn Asp Glu Met Ser Glu Ser Gly
108      215      220      225
E--> 110 cag tcc tca gca gct gca aca ccc agt acc aca ggt acc aag tcc aac
111 835
112 Gln Ser Ser Ala Ala Ala Thr Pro Ser Thr Thr Gly Thr Lys Ser Asn
113      230      235      240
E--> 115 aca ccc acg tcc tcc gtg ccc tca gca gca gtc acg cca ctc aac gag
116 883
117 Thr Pro Thr Ser Ser Val Pro Ser Ala Ala Val Thr Pro Leu Asn Glu
118      245      250      255
E--> 120 agc cta cag ccc ctg ggg gac tat gtc agt gtc aca aag aac aac aag
121 931
122 Ser Leu Gln Pro Leu Gly Asp Tyr Val Ser Val Thr Lys Asn Asn Lys

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*same
even*

RAW SEQUENCE LISTING

PATENT APPLICATION: US/09/856,617

DATE: 06/12/2001

TIME: 12:25:27

Input Set : A:\766.52 Seq. Listing.txt

Output Set: N:\CRF3\06122001\I856617.raw

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123 260          265          270          275
E--> 125 cag gcc cga gag aag cgc aat agc cgt aac atg gag gtc cag gtc acc
126 979
127 Gln Ala Arg Glu Lys Arg Asn Ser Arg Asn Met Glu Val Gln Val Thr
128          280          285          290
E--> 130 caa gag atg cgg aac gtc agt atc ggc atg ggc agc agt gac gag tgg
131 1027
132 Gln Glu Met Arg Asn Val Ser Ile Gly Met Gly Ser Ser Asp Glu Trp
133          295          300          305
E--> 135 tcc gat gtt cag gac att atc gac tcc acc cca gag ctg gat gtg tgt
136 1075
137 Ser Asp Val Gln Asp Ile Ile Asp Ser Thr Pro Glu Leu Asp Val Cys
138          310          315          320
E--> 140 cct gaa acc cgt ctg gag cgc aca gga agc agc cca acc cag gga att
141 1123
142 Pro Glu Thr Arg Leu Glu Arg Thr Gly Ser Ser Pro Thr Gln Gly Ile
143          325          330          335
E--> 145 gta aac aaa gct ttt gga atc aac act gac tcc ttg tat cac gaa ctc
146 1171
147 Val Asn Lys Ala Phe Gly Ile Asn Thr Asp Ser Leu Tyr His Glu Leu
148 340          345          350          355
E--> 150 tcc acg gcg gga tct gag gtc atc ggg gat gtg gac gag gga gct gat
151 1219
152 Ser Thr Ala Gly Ser Glu Val Ile Gly Asp Val Asp Glu Gly Ala Asp
153          360          365          370
E--> 155 ctc cta ggg gag ttt tca gtg cgc gat gat ttt ttt gga atg ggc aaa
156 1267
157 Leu Leu Gly Glu Phe Ser Val Arg Asp Asp Phe Phe Gly Met Gly Lys
158          375          380          385
E--> 160 gaa gtg ggg aac ctg ctg ctg gag aac tca cag ctt cta gag aca aaa
161 1315
162 Glu Val Gly Asn Leu Leu Leu Glu Asn Ser Gln Leu Leu Glu Thr Lys
163          390          395          400
E--> 165 aat gct tta aat gta gtg aag aat gac ctc att gct aag gtt gac caa
166 1363
167 Asn Ala Leu Asn Val Val Lys Asn Asp Leu Ile Ala Lys Val Asp Gln
168          405          410          415
E--> 170 ctg tca gga gaa cag gag gtc ctg aag ggt gag ctg gaa gca gcc aag
171 1411
172 Leu Ser Gly Glu Gln Glu Val Leu Lys Gly Glu Leu Glu Ala Ala Lys
173 420          425          430          435
E--> 175 caa gcg aaa gtc aag ctg gag aac cga atc aaa gag ctt gaa gaa gaa
176 1459
177 Gln Ala Lys Val Lys Leu Glu Asn Arg Ile Lys Glu Leu Glu Glu Glu
178          440          445          450
E--> 180 ctg aag aga gtc aag tca gag gca gta act gcc cgc cgt gag ccc aga
181 1507
182 Leu Lys Arg Val Lys Ser Glu Ala Val Thr Ala Arg Arg Glu Pro Arg
183          455          460          465

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*same
run*

RAW SEQUENCE LISTING

DATE: 06/12/2001

PATENT APPLICATION: US/09/856,617

TIME: 12:25:27

Input Set : A:\766.52 Seq. Listing.txt

Output Set: N:\CRF3\06122001\I856617.raw

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E--> 185 gaa gag gtg gag gat gta agc agc tat ctc tgt aca gaa ttg gac aaa
      186 1555
      187 Glu Glu Val Glu Asp Val Ser Ser Tyr Leu Cys Thr Glu Leu Asp Lys
      188           470           475           480
E--> 190 atc ccc atg gcc cag cgc cga cgc ttc aca cgg gtg gag atg gcc cga
      191 1603
      192 Ile Pro Met Ala Gln Arg Arg Arg Phe Thr Arg Val Glu Met Ala Arg
      193       485           490           495
E--> 195 gtg ctc atg gaa cgc aac cag tac aag gaa cgc ctc atg gag ctg cag
      196 1651
      197 Val Leu Met Glu Arg Asn Gln Tyr Lys Glu Arg Leu Met Glu Leu Gln
      198 500           505           510           515
E--> 200 gag gct gtg agg tgg act gaa atg atc aga gca tca agg gaa cac cca
      201 1699
      202 Glu Ala Val Arg Trp Thr Glu Met Ile Arg Ala Ser Arg Glu His Pro
      203           520           525           530
E--> 205 tct gtc cag gag aag aag aag tcc acc atc tgg cag ttc ttt agt cgc
      206 1747
      207 Ser Val Gln Glu Lys Lys Lys Ser Thr Ile Trp Gln Phe Phe Ser Arg
      208           535           540           545
E--> 210 ctc ttc agc tcc tca tct agc ccc cct ccg gcc aaa cga tcc tac cca
      211 1795
      212 Leu Phe Ser Ser Ser Ser Ser Pro Pro Pro Ala Lys Arg Ser Tyr Pro
      213       550           555           560
E--> 215 tct gtg aac att cac tac aag tca ccc act gca gct ggc ttt agc cag
      216 1843
      217 Ser Val Asn Ile His Tyr Lys Ser Pro Thr Ala Ala Gly Phe Ser Gln
      218       565           570           575
E--> 220 cgt cgc agc cat gct ttg tgc cag atc tca gcc ggc agc agg ccc ctg
      221 1891
      222 Arg Arg Ser His Ala Leu Cys Gln Ile Ser Ala Gly Ser Arg Pro Leu
      223 580           585           590           595
E--> 225 gag ttc ttc cct gat gat gac tgc acc tct tct gcc cgg cgg gag cag
      226 1939
      227 Glu Phe Phe Pro Asp Asp Asp Cys Thr Ser Ser Ala Arg Arg Glu Gln
      228           600           605           610
E--> 230 aag cgg gag cag tac cgc cag gtt cgt gaa cac gtg cgc aat gat gac
      231 1987
      232 Lys Arg Glu Gln Tyr Arg Gln Val Arg Glu His Val Arg Asn Asp Asp
      233       615           620           625
E--> 235 ggg agg ctg cag gcc tgt ggg tgg agc ctg cct gcc aag tac aag cag
      236 2035
      237 Gly Arg Leu Gln Ala Cys Gly Trp Ser Leu Pro Ala Lys Tyr Lys Gln
      238       630           635           640
E--> 240 ctg agc ccc aat gga ggc cag gaa gac acc cgg atg aaa aat gtg cct
      241 2083
      242 Leu Ser Pro Asn Gly Gly Gln Glu Asp Thr Arg Met Lys Asn Val Pro
      243       645           650           655
E--> 245 gtc cct gtg tac tgt cgc cct ctg gtg gag aag gac cct tcg aca aag

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*same**Due to size
of encoded
file, only**three pages
shown as
sample of
global
error**FBI*

Please review the

Sequence Listing to ensure that a corresponding explanation is presented in the <220> to <223> fields of each sequence which presents at least one n or Xaa.

SEQUENCE LISTING

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<120> NOVEL POLYPEPTIDE

<130> 766.52

<140> US 09/856,617

<141> 2001-05-24

<150> H10-332484

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<150> H11-248442

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Met Met Glu

1

atc cag atg gac gag gga gga ggt gtg gtg gtg tac caa gac gac tac 163

Ile Gln Met Asp Glu Gly Gly Gly Val Val Val Tyr Gln Asp Asp Tyr

5

10

15

tgc tcg ggc tcg gtc atg tcg gag cgt gtg tcg ggc ctg gcg ggc tcc 211

Cys Ser Gly Ser Val Met Ser Glu Arg Val Ser Gly Leu Ala Gly Ser

20

25

30

35

atc tac cgc gag ttc gag cgc ctc att cac tgc tat gac gag gag gtg 259



UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED

 2003
 Commissioner for Patents, Box PCT
 United States Patent and Trademark Office
 Washington, D.C. 20231
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09/856,617	Michio Ichimura	766.52

INTERNATIONAL APPLICATION NO.

PCT/JP99/06487

05514

 FITZPATRICK CELLA HARPER & SCINTO
 30 ROCKEFELLER PLAZA
 NEW YORK, NY 10112

LA. FILING DATE	PRIORITY DATE
-----------------	---------------

11/19/1999

11/24/1998

CONFIRMATION NO. 3220

371 FORMALITIES LETTER



OC000000009349516

Date Mailed: 01/09/2003

NOTIFICATION OF DEFECTIVE RESPONSE

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- U.S. Basic National Fee
- Priority Document
- Assignee Statement
- Biochemical Sequence Diskette
- Biochemical Sequence Listing
- Copy of IPE Report
- Copy of references cited in ISR
- Copy of the International Application
- Copy of the International Search Report
- Oath or Declaration
- Preliminary Amendments
- Request for Immediate Examination

0076600052
 LSP
 2/9/03
 1/14/03m/aw (A)

Applicant's response filed 08/05/2002 is hereby acknowledged. The following requirements set forth in the NOTIFICATION of MISSING REQUIREMENTS mailed 09/07/2001 have not been completed.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

Applicant is required to complete the response within a time limit of **ONE MONTH** from the date of this Notification or within the time remaining in the response set forth in the Notification of Missing Requirements, whichever is the longer. No extension of this time limit may be granted under 37 CFR 1.136, but the period for response set in the Notification of Missing Requirements may be extended under 37 CFR 1.136(a).

Additionally the following defects have been observed:

- Additional claim fees of **\$90** as a non-small entity, including any required multiple dependent claim fee, are

required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$90** for a Large Entity:

- Total additional claim fee(s) for this application is **\$90**
 - **\$90** for **33** total claims over 20.

The following items **MUST** be furnished within the period set forth below:

- The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 CFR 1.821-1.825 for the following reason(s):
 - See attached Raw Sequence Listing Error Report.
 - **APPLICANT MUST PROVIDE:**
 - An initial or substitute paper copy or compact disc of the "Sequence Listing," as well as an amendment directing its entry into the specification.
- For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:
 - For Rules Interpretation, call (703) 308-4216
 - To Purchase PatentIn Software, call (703) 306-2600
 - For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

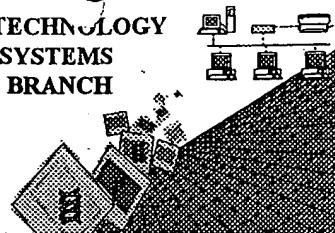
*A copy of this notice **MUST** be returned with the response.*

BARBARA A CAMPBELL

Telephone: (703) 305-3631

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
09/856,617	PCT/JP99/06487	766.52



BC

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PATENT APPLICATION: US/09/856,617A

DATE: 12/04/2002

TIME: 13:50:11

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Output Set: N:\CRF4\12032002\I856617A.raw

3 <110> APPLICANT: KYOWA HAKKO KOGYO CO., LTD.,
 5 <120> TITLE OF INVENTION: NOVEL POLYPEPTIDE
 7 <130> FILE REFERENCE: 766.52
 9 <140> CURRENT APPLICATION NUMBER: US 09/856,617A
 10 <141> CURRENT FILING DATE: 2001-05-24
 12 <150> PRIOR APPLICATION NUMBER: H10-332484
 13 <151> PRIOR FILING DATE: 1998-11-24
 15 <150> PRIOR APPLICATION NUMBER: H11-248442
 16 <151> PRIOR FILING DATE: 1999-09-02
 18 <160> NUMBER OF SEQ ID NOS: 18
 19 <170> SOFTWARE: PatentIn Ver. 2.0

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 385 Met Met Glu
 386 1
 388 atc cag atg gac gag gga gga ggt gtg gtg gtg tac caa gac gac tac 163
 389 Ile Gln Met Asp Glu Gly Gly Gly Val Val Val Tyr Gln Asp Asp Tyr
 390 5 10 15
 392 tgc tcg ggc tcg gtc atg tcg gag cgt gtg tcg ggc ctg gcg ggc tcc 211
 393 Cys Ser Gly Ser Val Met Ser Glu Arg Val Ser Gly Leu Ala Gly Ser
 394 20 25 30 35
 396 atc tac cgc gag ttc gag cgc ctc att cac tgc tat gac gag gag gtg 259
 397 Ile Tyr Arg Glu Phe Glu Arg Leu Ile His Cys Tyr Asp Glu Glu Val
 398 40 45 50
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 401 Val Lys Glu Leu Met Pro Leu Val Val Asn Val Leu Glu Asn Leu Asp
 402 55 60 65
 404 tcg gtg ctg agc gag aac cag gag cac gag gtg gag ctg gag ctc cta 355
 405 Ser Val Leu Ser Glu Asn Gln Glu His Glu Val Glu Leu Glu Leu
 406 70 75 80
 408 cgc gag gac aac gag cag ctg ctc acg caa tac gag cgc gag aag gcg 403

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674 1140      1145      1150      1155
676 cat cga ggc cag ctc cta ggg ctc cga gcc aac aag aca tcc cca aca 3619
677 His Arg Gly Gln Leu Leu Gly Leu Arg Ala Asn Lys Thr Ser Pro Thr
678      1160      1165      1170
680 tct ggg gag ggg acc cgc cca ggg ggc atc atc cat gtg tat ggg gac 3667
681 Ser Gly Glu Gly Thr Arg Pro Gly Gly Ile Ile His Val Tyr Gly Asp
682      1175      1180      1185
684 gac agc agt gac aag gcc gcc agt agt ttc atc ccc tac tgc tcc atg 3715
685 Asp Ser Ser Asp Lys Ala Ala Ser Ser Phe Ile Pro Tyr Cys Ser Met
686      1190      1195      1200
688 gca cag gct cag ctt tgc ttc cat ggg cac cgt gat gct gtc aaa ttc 3763
689 Ala Gln Ala Gln Leu Cys Phe His Gly His Arg Asp Ala Val Lys Phe
690      1205      1210      1215
692 ttt gtc tct gtg cca gga aat gtg ctg gcc act ctc aat ggc agt gtg 3811
693 Phe Val Ser Val Pro Gly Asn Val Leu Ala Thr Leu Asn Gly Ser Val
694 1220      1225      1230      1235
696 cta gac agc cca tca gag ggc cct ggg cct gct gca ccc gct gca gat 3859
697 Leu Asp Ser Pro Ser Glu Gly Pro Gly Pro Ala Ala Pro Ala Ala Asp
698      1240      1245      1250
700 gct gag ggc cag aag ttg aag aat gca ctg gtg ctg agt ggt ggt gaa 3907
701 Ala Glu Gly Gln Lys Leu Lys Asn Ala Leu Val Leu Ser Gly Gly Glu
702      1255      1260      1265
704 ggt tac att gac ttc cgt atc gga gac gga gag gat gat gaa act gag 3955
705 Gly Tyr Ile Asp Phe Arg Ile Gly Asp Gly Glu Asp Asp Glu Thr Glu
706      1270      1275      1280
708 gaa tgt gcc ggg gac gtg aac cag aca aag ccc tcg ttg tcc aag gct 4003
709 Glu Cys Ala Gly Asp Val Asn Gln Thr Lys Pro Ser Leu Ser Lys Ala
710      1285      1290      1295
E--> 712 gag cgc agc cac atc atc gtg tgg cag gtg tcc tac acc cct gag 4043
713 Glu Arg Ser His Ile Ile Val Trp Gln Val Ser Tyr Thr Pro Glu
714 1300      1305      1310
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4043 - counted 4048

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2119          290          295          300
2121 gag tct gat ggt gag gat gag cat gag gca ggc cgt gcc ggg cag cca 963
2122 Glu Ser Asp Gly Glu Asp Glu His Glu Ala Gly Arg Ala Gly Gln Pro
2123          305          310          315
2125 gag gct ggt gat ggg acc acc gag atc tca ccc act ggt gct gct ggt 1011
2126 Glu Ala Gly Asp Gly Thr Thr Glu Ile Ser Pro Thr Gly Ala Ala Gly
2127 320          325          330          335
2129 cct gag aag agg atg gag aag aag acg gag cag cag cgg cgg cgg gag 1059
2130 Pro Glu Lys Arg Met Glu Lys Lys Thr Glu Gln Gln Arg Arg Arg Glu
2131          340          345          350
2133 aaa gct gct cgc aag ctg cgg gtg cag cag gct gca ctg agg gca gcc 1107
2134 Lys Ala Ala Arg Lys Leu Arg Val Gln Gln Ala Ala Leu Arg Ala Ala
2135          355          360          365
2137 cgg ctt cag cac caa gaa ctt ttc agg ctg cgt ggg atc aag gcc cag 1155
2138 Arg Leu Gln His Gln Glu Leu Phe Arg Leu Arg Gly Ile Lys Ala Gln
2139          370          375          380
2141 gtg gcc cga agg ctg gca gaa ctg gca cgc cgg agg gag cag cgg cgc 1203
2142 Val Ala Arg Arg Leu Ala Glu Leu Ala Arg Arg Arg Glu Gln Arg Arg
2143          385          390          395
2145 ata cgg cga ctg gca gag gct gac aag ccc cga agg ctg gga cgg ctc 1251
2146 Ile Arg Arg Leu Ala Glu Ala Asp Lys Pro Arg Arg Leu Gly Arg Leu
2147 400          405          410          415
2149 aag tac cag gct cct gac att gat gtg cag ctc agc tct gag ttg tct 1299
2150 Lys Tyr Gln Ala Pro Asp Ile Asp Val Gln Leu Ser Ser Glu Leu Ser
2151          420          425          430
2153 ggc tca ctc agg aca ctg aag cca gaa ggt cac att ctc cga gac agg 1347
2154 Gly Ser Leu Arg Thr Leu Lys Pro Glu Gly His Ile Leu Arg Asp Arg
2155          435          440          445
2157 ttc aag agc ttc cag aag aga aat atg att gag ccc cga gaa cga gcc 1395
2158 Phe Lys Ser Phe Gln Lys Arg Asn Met Ile Glu Pro Arg Glu Arg Ala
2159          450          455          460
2161 aag ttc aag cgc aaa tac aaa gtg aag ctg gtg gag aag cgg gcc tac 1443
2162 Lys Phe Lys Arg Lys Tyr Lys Val Lys Leu Val Glu Lys Arg Ala Tyr
2163          465          470          475

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E--> 2165 cgt gag att cag ttg tag ctgtgcagat g
 2166 Arg Glu Ile Gln Leu

E--> 2167 480

2170 <210> SEQ ID NO: 9

2171 <211> LENGTH: 1305

2172 <212> TYPE: PRT

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2175 <400> SEQUENCE: 9

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2177 1 5 10 15

2179 Asp Asp Tyr Cys Ser Gly Ser Val Met Ser Glu Arg Val Ser Gly Leu

2180 20 25 30

(1469) - Counted 1472

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Seq. 9

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 2330 820 825 830
 2332 Ser Arg Gly Asp Thr Pro Val Leu Asp Lys Gly Gln Gly Asp Val Ala
 2333 835 840 845
 2335 Thr Thr Ala Asn Gly Lys Val Asn Pro Ser Gln Ser Thr Glu Glu Ala
 2336 850 855 860
 2338 Thr Glu Ala Thr Glu Val Pro Asp Pro Gly Pro Ser Glu Ser Glu Ala
 2339 865 870 875 880
 2341 Thr Thr Val Arg Pro Gly Pro Leu Thr Glu His Val Phe Thr Asp Pro
 2342 885 890 895
 2344 Ala Pro Thr Pro Ser Ser Ser Thr Gln Pro Ala Ser Glu Asn Gly Ser
 2345 900 905 910
 2347 Glu Ser Asn Gly Thr Ile Val Gln Pro Gln Val Glu Pro Ser Gly Glu
 2348 915 920 925
 2350 Leu Ser Thr Thr Thr Ser Ser Ala Ala Pro Thr Met Trp Leu Gly Ala
 2351 930 935 940
 2353 Gln Asn Gly Trp Leu Tyr Val His Ser Ala Val Ala Asn Trp Lys Lys
 2354 945 950 955 960
 2356 Cys Leu His Ser Ile Lys Leu Lys Asp Ser Val Leu Ser Leu Val His
 2357 965 970 975
 2359 Val Lys Gly Arg Val Leu Val Ala Leu Ala Asp Gly Thr Leu Ala Ile
 2360 980 985 990
 2362 Phe His Arg Gly Glu Asp Gly Gln Trp Asp Leu Ser Asn Tyr His Leu
 2363 995 1000 1005
 2365 Met Asp Leu Gly His Pro His His Ser Ile Arg Cys Met Ala Val Val
 2366 1010 1015 1020
 2368 Asn Asp Arg Val Trp Cys Gly Tyr Lys Asn Lys Val His Val Ile Gln
 E--> 2369 1025 1030 1035 1040
 2371 Pro Lys Thr Met Gln Ile Glu Lys Ser Phe Asp Ala His Pro Arg Arg
 2372 1045 1050 1055
 2374 Glu Ser Gln Val Arg Gln Leu Ala Trp Ile Gly Asp Gly Val Trp Val
 2375 1060 1065 1070
 2377 Ser Ile Arg Leu Asp Ser Thr Leu Arg Leu Tyr His Ala His Thr His
 2378 1075 1080 1085
 2380 Gln His Leu Gln Asp Val Asp Ile Glu Pro Tyr Val Ser Lys Met Leu
 2381 1090 1095 1100
 2383 Gly Thr Gly Lys Leu Gly Phe Ser Phe Val Arg Ile Thr Ala Leu Leu
 E--> 2384 1105 1110 1115 1120
 2386 Ile Ala Gly Asn Arg Leu Trp Val Gly Thr Gly Asn Gly Val Val Ile
 2387 1125 1130 1135
 2389 Ser Ile Pro Leu Thr Glu Thr Val Val Leu His Arg Gly Gln Leu Leu
 2390 1140 1145 1150
 2392 Gly Leu Arg Ala Asn Lys Thr Ser Pro Thr Ser Gly Glu Gly Thr Arg
 2393 1155 1160 1165
 2395 Pro Gly Gly Ile Ile His Val Tyr Gly Asp Asp Ser Ser Asp Lys Ala
 2396 1170 1175 1180
 2398 Ala Ser Ser Phe Ile Pro Tyr Cys Ser Met Ala Gln Ala Gln Leu Cys
 E--> 2399 1185 1190 1195 1200
 2401 Phe His Gly His Arg Asp Ala Val Lys Phe Phe Val Ser Val Pro Gly

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2405          1220          1225          1230
2407 Gly Pro Gly Pro Ala Ala Pro Ala Ala Asp Ala Glu Gly Gln Lys Leu
2408          1235          1240          1245
2410 Lys Asn Ala Leu Val Leu Ser Gly Gly Glu Gly Tyr Ile Asp Phe Arg
2411          1250          1255          1260
2413 Ile Gly Asp Gly Glu Asp Asp Glu Thr Glu Glu Cys Ala Gly Asp Val
E--> 2414 /265          1270          1275          1280
2416 Asn Gln Thr Lys Pro Ser Leu Ser Lys Ala Glu Arg Ser His Ile Ile
2417          1285          1290          1295
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2420          1300          1305
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2435 Ala Gly Ser Ile Tyr Arg Glu Phe Glu Arg Leu Ile His Cys Tyr Asp
2436          35          40          45
2438 Glu Glu Val Val Lys Glu Leu Met Pro Leu Val Val Asn Val Leu Glu
2439          50          55          60
2441 Asn Leu Asp Ser Val Leu Ser Glu Asn Gln Glu His Glu Val Glu Leu
2442 65          70          75          80
2444 Glu Leu Leu Arg Glu Asp Asn Glu Gln Leu Leu Thr Gln Tyr Glu Arg
2445          85          90          95
2447 Glu Lys Ala Leu Arg Lys Gln Ala Glu Glu Lys Phe Ile Glu Phe Glu
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2450 Asp Ala Leu Glu Gln Glu Lys Lys Glu Leu Gln Ile Gln Val Glu His
2451          115          120          125
2453 Tyr Glu Phe Gln Thr Arg Gln Leu Glu Leu Lys Ala Lys Asn Tyr Ala
2454          130          135          140
2456 Asp Gln Ile Ser Arg Leu Glu Glu Arg Glu Ser Glu Met Lys Lys Glu
2457 145          150          155          160
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2460          165          170          175
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2463          180          185          190
2465 Thr Glu Ser Ser Leu Pro Gly Arg Ser Pro Arg Gln Ser Trp Arg Lys
2466          195          200          205
2468 Ser Arg Lys Glu Arg Pro Thr Ser Leu Asn Val Phe Pro Leu Ala Asp
2469          210          215          220
2471 Gly Met Cys Pro Asn Asp Glu Met Ser Glu Ser Gly Gln Ser Ser Ala
2472 225          230          235          240
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2628          1060          1065          1070
2630 Ala Trp Ile Gly Asp Gly Val Trp Val Ser Ile Arg Leu Asp Ser Thr
2631          1075          1080          1085
2633 Leu Arg Leu Tyr His Ala His Thr His Gln His Leu Gln Asp Val Asp
2634          1090          1095          1100
2636 Ile Glu Pro Tyr Val Ser Lys Met Leu Gly Thr Gly Lys Leu Gly Phe
E--> 2637 1105          1110          1115          1120
2639 Ser Phe Val Arg Ile Thr Ala Leu Leu Ile Ala Gly Asn Arg Leu Trp
2640          1125          1130          1135
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2643          1140          1145          1150
2645 Val Val Leu His Arg Gly Gln Leu Leu Gly Leu Arg Ala Asn Lys Thr
2646          1155          1160          1165
2648 Ser Pro Thr Ser Gly Glu Gly Thr Arg Pro Gly Gly Ile Ile His Val
2649          1170          1175          1180
2651 Tyr Gly Asp Asp Ser Ser Asp Lys Ala Ala Ser Ser Phe Ile Pro Tyr
E--> 2652 1185          1190          1195          1200
2654 Cys Ser Met Ala Gln Ala Gln Leu Cys Phe His Gly His Arg Asp Ala
2655          1205          1210          1215
2657 Val Lys Phe Phe Val Ser Val Pro Gly Asn Val Leu Ala Thr Leu Asn
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2664          1250          1255          1260
2666 Gly Gly Glu Gly Tyr Ile Asp Phe Arg Ile Gly Asp Gly Glu Asp Asp
E--> 2667 1265          1270          1275          1280
2669 Glu Thr Glu Glu Cys Ala Gly Asp Val Asn Gln Thr Lys Pro Ser Leu
2670          1285          1290          1295
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2673          1300          1305          1310
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2691 Ala Gly Ser Ile Tyr Arg Glu Phe Glu Arg Leu Ile His Cys Tyr Asp
2692 35 40 45
2694 Glu Glu Val Val Lys Glu Leu Met Pro Leu Val Val Asn Val Leu Glu
2695 50 55 60

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2848 865                      870                      875                      880
2850 Thr Thr Ala Asn Gly Lys Val Asn Pro Ser Gln Ser Thr Glu Glu Ala
2851                      885                      890                      895
2853 Thr Glu Ala Thr Glu Val Pro Asp Pro Gly Pro Ser Glu Ser Glu Ala
2854                      900                      905                      910
2856 Thr Thr Val Arg Pro Gly Pro Leu Thr Glu His Val Phe Thr Asp Pro
2857                      915                      920                      925
2859 Ala Pro Thr Pro Ser Ser Ser Thr Gln Pro Ala Ser Glu Asn Gly Ser
2860      930                      935                      940
2862 Glu Ser Asn Gly Thr Ile Val Gln Pro Gln Val Glu Pro Ser Gly Glu
2863 945                      950                      955                      960
2865 Leu Ser Thr Thr Thr Ser Ser Ala Ala Pro Thr Met Trp Leu Gly Ala
2866                      965                      970                      975
2868 Gln Asn Gly Trp Leu Tyr Val His Ser Ala Val Ala Asn Trp Lys Lys
2869                      980                      985                      990
2871 Cys Leu His Ser Ile Lys Leu Lys Asp Ser Val Leu Ser Leu Val His
2872                      995                      1000                      1005
2874 Val Lys Gly Arg Val Leu Val Ala Leu Ala Asp Gly Thr Leu Ala Ile
2875      1010                      1015                      1020
2877 Phe His Arg Gly Glu Asp Gly Gln Trp Asp Leu Ser Asn Tyr His Leu
E--> 2878 1025                      1030                      1035                      1040
2880 Met Asp Leu Gly His Pro His His Ser Ile Arg Cys Met Ala Val Val
2881                      1045                      1050                      1055
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2884                      1060                      1065                      1070
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2901 Ile Ala Gly Asn Arg Leu Trp Val Gly Thr Gly Asn Gly Val Val Ile
2902                      1155                      1160                      1165
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2905      1170                      1175                      1180
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2914                      1220                      1225                      1230
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2920          1250          1255          1260
2922 Gly Pro Gly Pro Ala Ala Pro Ala Ala Asp Ala Glu Gly Gln Lys Leu
E--> 2923|265          1270          1275          1280
2925 Lys Asn Ala Leu Val Leu Ser Gly Gly Glu Gly Tyr Ile Asp Phe Arg
2926          1285          1290          1295
2928 Ile Gly Asp Gly Glu Asp Asp Glu Thr Glu Glu Cys Ala Gly Asp Val
2929          1300          1305          1310
2931 Asn Gln Thr Lys Pro Ser Leu Ser Lys Ala Glu Arg Ser His Ile Ile
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2951 35 40 45
2953 Glu Glu Val Val Lys Glu Leu Met Pro Leu Val Val Asn Val Leu Glu
2954 50 55 60
2956 Asn Leu Asp Ser Val Leu Ser Glu Asn Gln Glu His Glu Val Glu Leu
2957 65 70 75 80
2959 Glu Leu Leu Arg Glu Asp Asn Glu Gln Leu Leu Thr Gln Tyr Glu Arg
2960 85 90 95
2962 Glu Lys Ala Leu Arg Lys Gln Ala Glu Glu Lys Phe Ile Glu Phe Glu
2963 100 105 110
2965 Asp Ala Leu Glu Gln Glu Lys Lys Glu Leu Gln Ile Gln Val Glu His
2966 115 120 125
2968 Tyr Glu Phe Gln Thr Arg Gln Leu Glu Leu Lys Ala Lys Asn Tyr Ala
2969 130 135 140
2971 Asp Gln Ile Ser Arg Leu Glu Glu Arg Glu Ser Glu Met Lys Lys Glu
2972 145 150 155 160
2974 Tyr Asn Ala Leu His Gln Arg His Thr Glu Met Ile Gln Thr Tyr Val
2975 165 170 175
2977 Glu His Ile Glu Arg Ser Lys Met Gln Gln Val Gly Gly Ser Gly Gln
2978 180 185 190
2980 Thr Glu Ser Ser Leu Pro Gly Arg Arg Lys Glu Arg Pro Thr Ser Leu
2981 195 200 205
2983 Asn Val Phe Pro Leu Ala Asp Gly Met Val Arg Ala Gln Met Gly Gly
2984 210 215 220
2986 Lys Leu Val Pro Ala Gly Asp His Trp His Leu Ser Asp Leu Gly Gln
2987 225 230 235 240
2989 Leu Gln Ser Ser Ser Ser Tyr Gln Cys Pro Asn Asp Glu Met Ser Glu

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RAW SEQUENCE LISTING

PATENT APPLICATION: US/09/856,617A

DATE: 12/04/2002

TIME: 13:50:11

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Output Set: N:\CRF4\12032002\I856617A.raw

Seq. 12

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3140          1045          1050          1055
3142 Asp Arg Val Trp Cys Gly Tyr Lys Asn Lys Val His Val Ile Gln Pro
3143          1060          1065          1070
3145 Lys Thr Met Gln Ile Glu Lys Ser Phe Asp Ala His Pro Arg Arg Glu
3146          1075          1080          1085
3148 Ser Gln Val Arg Gln Leu Ala Trp Ile Gly Asp Gly Val Trp Val Ser
3149          1090          1095          1100
3151 Ile Arg Leu Asp Ser Thr Leu Arg Leu Tyr His Ala His Thr His Gln
E--> 3152|105          1110          1115          1120
3154 His Leu Gln Asp Val Asp Ile Glu Pro Tyr Val Ser Lys Met Leu Gly
3155          1125          1130          1135
3157 Thr Gly Lys Leu Gly Phe Ser Phe Val Arg Ile Thr Ala Leu Leu Ile
3158          1140          1145          1150
3160 Ala Gly Asn Arg Leu Trp Val Gly Thr Gly Asn Gly Val Val Ile Ser
3161          1155          1160          1165
3163 Ile Pro Leu Thr Glu Thr Val Val Leu His Arg Gly Gln Leu Leu Gly
3164          1170          1175          1180
3166 Leu Arg Ala Asn Lys Thr Ser Pro Thr Ser Gly Glu Gly Thr Arg Pro
E--> 3167|185          1190          1195          1200
3169 Gly Gly Ile Ile His Val Tyr Gly Asp Asp Ser Ser Asp Lys Ala Ala
3170          1205          1210          1215
3172 Ser Ser Phe Ile Pro Tyr Cys Ser Met Ala Gln Ala Gln Leu Cys Phe
3173          1220          1225          1230
3175 His Gly His Arg Asp Ala Val Lys Phe Phe Val Ser Val Pro Gly Asn
3176          1235          1240          1245
3178 Val Leu Ala Thr Leu Asn Gly Ser Val Leu Asp Ser Pro Ser Glu Gly
3179          1250          1255          1260
3181 Pro Gly Pro Ala Ala Pro Ala Ala Asp Ala Glu Gly Gln Lys Leu Lys
E--> 3182|265          1270          1275          1280
3184 Asn Ala Leu Val Leu Ser Gly Gly Glu Gly Tyr Ile Asp Phe Arg Ile
3185          1285          1290          1295
3187 Gly Asp Gly Glu Asp Asp Glu Thr Glu Glu Cys Ala Gly Asp Val Asn
3188          1300          1305          1310
3190 Gln Thr Lys Pro Ser Leu Ser Lys Ala Glu Arg Ser His Ile Ile Val
3191          1315          1320          1325
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3194          1330          1335
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3287 <212> TYPE: PRT
3288 <213> ORGANISM: Mouse
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3292 1 5 10 15
3294 Leu Arg Ser Pro Ser Ile Lys Leu Arg Arg Ser Lys Ala Gly Asn Arg
3295 20 25 30
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RAW SEQUENCE LISTING

PATENT APPLICATION: US/09/856,617A

DATE: 12/04/2002

TIME: 13:50:11

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Seq. 14

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3451      850      855      860
3453 Glu Leu Ser Val Arg Ser Met Leu Asp Leu Arg Gln Ile Glu Thr Leu
3454 865      870      875      880
3456 Ala Pro Ser Pro Arg Gly Pro Ser Gln Asp Ser Leu Ala Val Ser Pro
3457      885      890      895
3459 Ala Gly Pro Gly Lys His Gly Pro Gln Ala Pro Glu Leu Ser Cys Val
3460      900      905      910
3462 Ser Gln Asn Glu Arg Ala Pro Arg Leu Gln Thr Ser Gln Pro Cys Ser
3463      915      920      925
3465 Cys Pro Asp Ile Ile Gln Leu Leu Ser Gln Glu Glu Gly Val Phe Ala
3466      930      935      940
3468 Gln Asp Leu Glu Pro Ala Pro Ile Glu Asp Gly Ile Val Tyr Pro Glu
3469 945      950      955      960
3471 Pro Ser Asp Ser Pro Thr Met Asp Thr Ser Ala Phe Gln Val Gln Ala
3472      965      970      975
3474 Pro Thr Gly Gly Ser Leu Gly Arg Met Tyr Pro Gly Ser Arg Gly Ser
3475      980      985      990
3477 Glu Lys His Ser Pro Asp Ser Ala Cys Ser Val Asp Tyr Ser Ser Ser
3478      995      1000      1005
3480 Arg Leu Ser Ser Pro Glu His Pro Asn Glu Asp Ser Glu Ser Thr Glu
3481 1010      1015      1020
3483 Pro Leu Ser Val Asp Gly Ile Ser Ser Asp Leu Glu Glu Pro Ala Glu
E--> 3484 1025      1030      1035      1040
3486 Gly Asp Glu Asp Glu Glu Glu Glu Gly Gly Thr Gly Leu Cys Gly Leu
3487      1045      1050      1055
3489 Gln Glu Gly Gly Pro Arg Thr Pro Asp Gln Glu Gln Phe Leu Lys Gln
3490      1060      1065      1070
3492 Leu Phe Glu Thr Leu Ala Asn Gly Thr Ala Pro Gly Gly Pro Ala Arg
3493      1075      1080      1085
3495 Val Leu Glu Arg Thr Glu Ser Arg Ser Ile Ser Ser Arg Phe Leu Leu
3496      1090      1095      1100
3498 Gln Val Gln Thr Leu Pro Leu Arg Glu Pro Ser Leu Ser Ser Ser Gly
E--> 3499 1105      1110      1115      1120
3501 Leu Ala Leu Thr Ser Arg Pro Asp Gln Val Ser Gln Val Ser Gly Glu
3502      1125      1130      1135
3504 Gln Leu Lys Gly Ser Gly Ala Thr Pro Pro Gly Ala Pro Pro Glu Met
3505      1140      1145      1150
3507 Glu Pro Ser Ser Gly Asn Ser Gly Pro Lys Gln Val Ala Pro Val Leu
3508      1155      1160      1165
3510 Leu Thr Arg Arg Arg Asn Asn Leu Asp Asn Ser Trp Ala Ser Lys Lys
3511      1170      1175      1180
3513 Met Ala Ala Thr Arg Pro Leu Ala Gly Leu Gln Lys Ala Gln Ser Val
E--> 3514 1185      1190      1195      1200
3516 His Ser Leu Val Pro Gln Asp Glu Val Pro Ser Ser Arg Pro Leu Leu
3517      1205      1210      1215

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RAW SEQUENCE LISTING

PATENT APPLICATION: US/09/856,617A

DATE: 12/04/2002

TIME: 13:50:11

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Output Set: N:\CRF4\12032002\I856617A.raw

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3522 Gly Gly Cys Ser Ser Gln Pro His Ser Tyr Gln Asn His Thr Thr Ser
3523          1235          1240          1245
3525 Ser Met Ala Lys Leu Ala Arg Ser Ile Ser Val Gly Glu Asn Pro Gly
3526          1250          1255          1260
3528 Leu Ala Thr Glu Pro Gln Ala Pro Ala Pro Ile Arg Ile Ser Pro Phe
E--> 3529 |265          1270          1275          1280
3531 Asn Lys Leu Ala Leu Pro Ser Arg Ala His Leu Val Leu Asp Ile Pro
3532          1285          1290          1295
3534 Lys Pro Leu Pro Asp Arg Pro Thr Leu Thr Thr Phe Ser Pro Val Ser
3535          1300          1305          1310
3537 Lys Gly Leu Thr His Asn Glu Thr Glu Gln Ser Gly Pro Leu Arg Glu
3538          1315          1320          1325
3540 Pro Arg Lys Ala His Thr Thr Val Glu Lys His Ser Cys Leu Gly Glu
3541          1330          1335          1340
3543 Gly Thr Thr His Lys Ser Arg Thr Glu Cys Gln Ala Tyr Pro Gly Pro
E--> 3544 |345          1350          1355          1360
3546 Asn His Pro Cys Arg Gln Gln Leu Pro Val Asn Asn Leu Leu Gln Ala
3547          1365          1370          1375
3549 Glu Ser Leu Gln Pro Leu Ser Pro Glu Lys Thr Arg Asn Pro Val Glu
3550          1380          1385          1390
3552 Ser Ser Arg Pro Gly Val Ala Leu Ser Gln Asp Ser Glu Leu Ala Leu
3553          1395          1400          1405
3555 Ser Leu Gln Gln Cys Glu Gln Leu Val Ala Glu Leu Gln Gly Asn Val
3556          1410          1415          1420
3558 Arg Gln Ala Val Glu Leu Tyr Arg Ala Val Thr Ser Cys Lys Thr Pro
E--> 3559 |425          1430          1435          1440
3561 Ser Ala Glu Gln Ser His Ile Thr Arg Leu Leu Arg Asp Thr Phe Ser
3562          1445          1450          1455
3564 Pro Val Arg Gln Glu Leu Glu Val Leu Ala Gly Ala Val Leu Ser Ser
3565          1460          1465          1470
3567 Pro Gly Gly Ser Pro Gly Ala Val Ala Ala Glu Gln Thr Gln Ala Leu
3568          1475          1480          1485
3570 Leu Glu Gln Tyr Ser Glu Leu Leu Leu Arg Ala Val Glu Arg Arg Met
3571          1490          1495          1500
3573 Glu Arg Arg Leu
E--> 3574 |505
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3731 <211> LENGTH: 27
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3733 <213> ORGANISM: Artificial Sequence
3735 <220> FEATURE:
3736 <223> OTHER INFORMATION: Description of Artificial Sequence: Synthetic DNA
3738 <400> SEQUENCE: 17
E--> 3739 tagatatcgc cttggaacaa gagaaga
3740 (27)
3743 <210> SEQ ID NO: 18
3744 <211> LENGTH: 31

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RAW SEQUENCE LISTING

DATE: 12/04/2002

PATENT APPLICATION: US/09/856,617A

TIME: 13:50:11

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3746 <213> ORGANISM: Artificial Sequence

3748 <220> FEATURE:

3749 <223> OTHER INFORMATION: Description of Artificial Sequence:Synthetic DNA

3751 <400> SEQUENCE: 18

3752 atgaattctc agttgttctt tgtgacactg a

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E--> 3753 1 / 142 - delete

VERIFICATION SUMMARY

PATENT APPLICATION: US/09/856,617A

DATE: 12/04/2002

TIME: 13:50:12

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M:254 Repeated in SeqNo=2
L:2165 M:254 E: No. of Bases conflict, LENGTH:Input:1469 Counted:1472 SEQ:8
L:2167 M:252 E: No. of Seq. differs, <211> LENGTH:Input:1469 Found:1472 SEQ:8
L:2369 M:332 E: (32) Invalid/Missing Amino Acid Numbering, SEQ ID:9
M:332 Repeated in SeqNo=9
L:2622 M:332 E: (32) Invalid/Missing Amino Acid Numbering, SEQ ID:10
M:332 Repeated in SeqNo=10
L:2878 M:332 E: (32) Invalid/Missing Amino Acid Numbering, SEQ ID:11
M:332 Repeated in SeqNo=11
L:3137 M:332 E: (32) Invalid/Missing Amino Acid Numbering, SEQ ID:12
M:332 Repeated in SeqNo=12
L:3484 M:332 E: (32) Invalid/Missing Amino Acid Numbering, SEQ ID:14
M:332 Repeated in SeqNo=14
L:3739 M:254 E: No. of Bases conflict, LENGTH:Input:0 Counted:27 SEQ:17
L:3753 M:254 E: No. of Bases conflict, LENGTH:Input:142 Counted:32 SEQ:18
L:3753 M:320 E: (1) Wrong Nucleic Acid Designator, NUMBER OF INVALID KEYS:2
L:3753 M:252 E: No. of Seq. differs, <211> LENGTH:Input:31 Found:32 SEQ:18



UNITED STATES PATENT AND TRADEMARK OFFICE

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U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09/856,617	Michio Ichimura	766.52

INTERNATIONAL APPLICATION NO.

PCT/JP99/06487

LA. FILING DATE

PRIORITY DATE

11/19/1999

11/24/1998

05514

FITZPATRICK CELLA HARPER & SCINTO
 30 ROCKEFELLER PLAZA
 NEW YORK, NY 10112

CONFIRMATION NO. 3220

371 FORMALITIES LETTER



OC000000010200341

Date Mailed: 06/06/2003

NOTIFICATION OF DEFECTIVE RESPONSE ABANDONMENT

The United States Patent and Trademark Office in its capacity as a Designated / Elected Office (37 CFR 1.495) has made the following determination:

Applicant has failed to properly respond to the notification of MISSING REQUIREMENTS (Form PCT/DO/EO/905), mailed 09/07/2001 within the time period set therein.

Therefore, the above identified application failed to meet the requirements of 35 U.S.C. 371 and 37 CFR 1.495, and is ABANDONED AS TO THE UNITED STATES OF AMERICA.

The following items **MUST** be furnished within the period set forth below:

- The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 CFR 1.821-1.825 for the following reason(s):
 - See attached Raw Sequence Listing Error Report.
 - APPLICANT MUST PROVIDE:
 - An initial or substitute paper copy or compact disc of the "Sequence Listing," as well as an amendment directing its entry into the specification.
- For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:
 - For Rules Interpretation, call (703) 308-4216
 - To Purchase PatentIn Software, call (703) 306-2600
 - For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

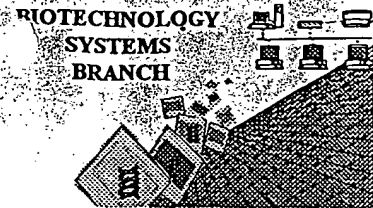
BARBARA A CAMPBELL

Telephone: (703) 305-3631

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
09/856,617	PCT/JP99/06487	766.52

FORM PCT/DO/EO/918 (371 Formalities Notice)



RAW SEQUENCE LISTING ERROR REPORT

The Biotechnology Systems Branch of the Scientific and Technical Information Center (STIC) detected errors when processing the following computer readable form:

Application Serial Number: 09/856617B
Source: PCT/09
Date Processed by STIC: 5/19/2003

THE ATTACHED PRINTOUT EXPLAINS DETECTED ERRORS.

PLEASE FORWARD THIS INFORMATION TO THE APPLICANT BY EITHER:

- 1) INCLUDING A COPY OF THIS PRINTOUT IN YOUR NEXT COMMUNICATION TO THE APPLICANT, WITH A NOTICE TO COMPLY or,
- 2) TELEPHONING APPLICANT AND FAXING A COPY OF THIS PRINTOUT, WITH A NOTICE TO COMPLY

FOR CRF SUBMISSION AND PATENTIN SOFTWARE QUESTIONS, PLEASE CONTACT MARK SPENCER, 703-308-4212.

TO REDUCE ERRORED SEQUENCE LISTINGS, PLEASE USE THE CHECKER VERSION 4.0 PROGRAM, ACCESSIBLE THROUGH THE U.S. PATENT AND TRADEMARK OFFICE WEBSITE. SEE BELOW FOR ADDRESS:

<http://www.uspto.gov/web/offices/pac/checker>

Applicants submitting genetic sequence information electronically on diskette or CD-Rom should be aware that there is a possibility that the disk/CD-Rom may have been affected by treatment given to all incoming mail.

Please consider using alternate methods of submission for the disk/CD-Rom or replacement disk/CD-Rom.

Any reply including a sequence listing in electronic form should NOT be sent to the 20231 zip code address for the United States Patent and Trademark Office, and instead should be sent via the following to the indicated addresses:

1. EFS-Bio (<<http://www.uspto.gov/ebc/efs/downloads/documents.htm>>, EFS Submission User Manual - ePAVE)
2. U.S. Postal Service: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450
3. Hand Carry directly to:
U.S. Patent and Trademark Office, Technology Center 1600, Reception Area, 7th Floor, Examiner Name, Sequence Information, Crystal Mall One, 1911 South Clark Street, Arlington, VA 22202
Or
U.S. Patent and Trademark Office, Box Sequence, Customer Window, Lobby, Room 1B03, Crystal Plaza Two, 2011 South Clark Place, Arlington, VA 22202
4. Federal Express, United Parcel Service, or other delivery service to: U.S. Patent and Trademark Office, Box Sequence, Room 1B03-Mailroom, Crystal Plaza Two, 2011 South Clark Place, Arlington, VA 22202

Revised 04/24/2003



OIPE

RAW SEQUENCE LISTING

PATENT APPLICATION: US/09/856,617B

DATE: 05/19/2003

TIME: 15:00:41

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Output Set: N:\CRF4\05192003\I856617B.raw

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5 <120> TITLE OF INVENTION: NOVEL POLYPEPTIDE
7 <130> FILE REFERENCE: 766.52
9 <140> CURRENT APPLICATION NUMBER: US 09/856,617B
10 <141> CURRENT FILING DATE: 2001-05-24
12 <150> PRIOR APPLICATION NUMBER: H10-332484
13 <151> PRIOR FILING DATE: 1998-11-24
15 <150> PRIOR APPLICATION NUMBER: H11-248442
16 <151> PRIOR FILING DATE: 1999-09-02
18 <160> NUMBER OF SEQ ID NOS: 18
19 <170> SOFTWARE: PatentIn Ver. 2.0

Does Not Comply
Corrected Diskette Needed

ERRORED SEQUENCES

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2037 <212> TYPE: DNA
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2040 <220> FEATURE:
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2055 35 40 45
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2058 Trp Arg Arg Leu Ala Glu Glu Pro Leu Gly Leu Glu Val Asp Gln Phe
2059 50 55 60
2061 ctg gaa gac gtc cgg cta cag gag cgc acg acc ggt ggc ttg ttg gca 243
2062 Leu Glu Asp Val Arg Leu Gln Glu Arg Thr Thr Gly Gly Leu Leu Ala
2063 65 70 75
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2066 Glu Ala Pro Asn Glu Lys Leu Phe Phe Val Asp Thr Gly Phe Lys Arg
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RAW SEQUENCE LISTING

PATENT APPLICATION: US/09/856,617B

DATE: 05/19/2003

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2114	Ala	Glu	Lys	Leu	Glu	Arg	Gln	Leu	Ala	Leu	Pro	Thr	Ser	Glu	Gln	Ala	
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2118	Ala	Thr	Gln	Glu	Ser	Val	Phe	Arg	Glu	Met	Cys	Glu	Gly	Leu	Leu	Glu	
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2129	cct	gag	aag	agg	atg	gag	aag	aag	acg	gag	cag	cag	cgg	cgg	cgg	gag	1059
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2133	aaa	gct	gct	cgc	aag	ctg	cgg	gtg	cag	cag	gct	gca	ctg	agg	gca	gcc	1107
2134	Lys	Ala	Ala	Arg	Lys	Leu	Arg	Val	Gln	Gln	Ala	Ala	Leu	Arg	Ala	Ala	
2135				355				360				365					

RAW SEQUENCE LISTING

PATENT APPLICATION: US/09/856,617B

DATE: 05/19/2003

TIME: 15:00:41

Input Set : A:\766.52.txt

Output Set: N:\CRF4\05192003\I856617B.raw

```
2137 cgg ctt cag cac caa gaa ctt ttc agg ctg cgt ggg atc aag gcc cag 1155
2138 Arg Leu Gln His Gln Glu Leu Phe Arg Leu Arg Gly Ile Lys Ala Gln
2139      370      375      380
2141 gtg gcc cga agg ctg gca gaa ctg gca cgc cgg agg gag cag cgg cgc 1203
2142 Val Ala Arg Arg Leu Ala Glu Leu Ala Arg Arg Arg Glu Gln Arg Arg
2143      385      390      395
2145 ata cgg cga ctg gca gag gct gac aag ccc cga agg ctg gga cgg ctc 1251
2146 Ile Arg Arg Leu Ala Glu Ala Asp Lys Pro Arg Arg Leu Gly Arg Leu
2147 400      405      410      415
2149 aag tac cag gct cct gac att gat gtg cag ctc agc tct gag ttg tct 1299
2150 Lys Tyr Gln Ala Pro Asp Ile Asp Val Gln Leu Ser Ser Glu Leu Ser
2151      420      425      430
2153 ggc tca ctc agg aca ctg aag cca gaa ggt cac att ctc cga gac agg 1347
2154 Gly Ser Leu Arg Thr Leu Lys Pro Glu Gly His Ile Leu Arg Asp Arg
2155      435      440      445
2157 ttc aag agc ttc cag aag aga aat atg att gag ccc cga gaa cga gcc 1395
2158 Phe Lys Ser Phe Gln Lys Arg Asn Met Ile Glu Pro Arg Glu Arg Ala
2159      450      455      460
2161 aag ttc aag cgc aaa tac aaa gtg aag ctg gtg gag aag cgg gcc tac 1443
2162 Lys Phe Lys Arg Lys Tyr Lys Val Lys Leu Val Glu Lys Arg Ala Tyr
2163      465      470      475
2165 cgt gag att cag ttg tag ctgtgcagat g 1472
2166 Arg Glu Ile Gln Leu
E--> 2167 480
```

VERIFICATION SUMMARY

PATENT APPLICATION: US/09/856,617B

DATE: 05/19/2003

TIME: 15:00:42

Input Set : A:\766.52.txt

Output Set: N:\CRF4\05192003\I856617B.raw

L:2167 M:252 E: No. of Seq. differs, <211> LENGTH:Input:1469 Found:1472 SEQ:8

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